

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 26, 1959  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

## Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Assistant Chief of Police.

Invocation was delivered by FATHER EDWARD MOTOCHA, St. Louis Catholic Church, 7600 Burnet Road.

Councilman White moved that the Minutes of the meeting of February 19, 1959, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Council greeted SALLY POWELL, CAROL HAYES, and RALPH RASH, students from Lamar Junior High School.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF

THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY ESTABLISHING THE BOUNDARIES FOR AN ORIGINAL USE DISTRICT AND HEIGHT AND AREA DISTRICT, IN AN AREA ANNEXED TO THE CITY OF AUSTIN ON JUNE 6, 1957; ORDERING A CHANGE IN THE MAPS SO AS TO RECORD SUCH DISTRICT; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "D" INDUSTRIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT ON PART OF ONE LOT FRONTING APPROXIMATELY 139 FEET ON THE NORTH RIGHT OF WAY LINE OF EAST 7TH STREET, LOCALLY KNOWN AS 3524-3536 EAST 7TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND

SUSPENDING THE RULE REQUIRING THE READING OF  
ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller  
Noes: None  
Present but not voting: Councilman Long

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller  
Noes: None  
Present but not voting: Councilman Long

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller  
Noes: None  
Present but not voting: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT ON LOTS 8 AND 9 OF THE HERMAN SHIEFFER RESUBDIVISION OF LOTS 54, 55 AND 56, OUTLOT NO. 55, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by a certain instrument dated February 18, 1950, the Evangelical Lutheran Synod of Missouri, Ohio and Other States, a Missouri corporation, acting through its duly authorized agent, the Board of Control, Lutheran Concordia College, Austin, Texas, granted a drainageway easement in, upon and across that certain tract of land out of Outlots 21 and 22 of Division C of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Offices of the State of Texas; and

WHEREAS, the owner of the hereinafter described premises has heretofore granted the City of Austin a drainageway easement at a more desirable and practical location, and has requested that the hereinafter described drainageway easement located on such premises be released; and,

WHEREAS, the hereinafter described easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the drainageway easement located on the hereinafter described premises:

A strip of land five (5) feet in width, same being out of and a part of that certain tract of land out of Outlots 21 and 22 of Division C of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, which was conveyed to the

Evangelical Lutheran Synod of Missouri, Ohio and other states by warranty deed dated September 25, 1925, of record in Volume 381, page 189, of the Deed Records of Travis County, Texas, the centerline of said strip of land five (5) feet in width being more particularly described by metes and bounds as follows:

BEGINNING at a point in the present east line of the said Evangelical Lutheran Synod of Missouri tract, same being the west line of that certain 4.06 acre tract of land conveyed to the City of Austin by judgment dated November 22, 1948, of record in Book 2, at page 61, of the Eminent Domain Minutes of the County Court of Travis County, Texas, and from which point of beginning an iron stake at the present northeast corner of the said Evangelical Lutheran Synod of Missouri, Ohio and other states, tract bears N. 30° 28' E. 395.00 feet;

THENCE N. 1° 11' W. 461.13 feet to point of termination on the north line of said Evangelical Lutheran Synod of Missouri tract, same being the southline of Concordia Avenue, and from which point of termination the aforementioned iron stake at the present northeast corner of said Evangelical Lutheran Synod of Missouri, Ohio and other states tract bears S. 60° 06' E. 242.00 feet.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain drainage easement ten (10) feet in width was reserved and dedicated to the public in, upon and across a part of Lot 25, South Lund Park Section Two, a subdivision of a portion of the Isaac Decker League and a portion of the Henry P. Hill League, in the City of Austin, Travis County, Texas, according to a map or plat of said South Lund Park Section Two of record in Book 7, at page 8 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has requested that the hereinafter described portion of such drainage easement located on such premises be released; and,

WHEREAS, the hereinafter described portion of such easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the portion of drainage easement located on the hereinafter described premises:

A strip of land three (3.00) feet in width, same being out of and a part of Lot 25 in South Lund Park Section Two, a

Subdivision of a portion of the Isaac Decker League and a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said South Lund Park Section Two of record in Book 7 at page 8 of the Plat Records of Travis County, Texas, which strip of land three (3.00) feet in width is more particularly described as follows:

BEING all of the west three (3.00) feet of the east ten (10.00) feet of said Lot 25 in South Lund Park Section Two.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument dated January 14, 1953, recorded in Volume 1305 at page 422 of the Deed Records of Travis County, Texas, a sanitary sewer easement ten (10) feet in width was granted to the City of Austin, in, upon and across a part of Lot 24 in South Lund Park Section Two, a subdivision of a portion of the Isaac Decker League and a portion of the Henry P. Hill League, in the City of Austin, Travis County, Texas, according to a map or plat of said South Lund Park Section Two, of record in Book 7 at page 8 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has requested that the hereinafter described portion of such sanitary sewer easement located on such premises be released; and,

WHEREAS, the hereinafter described portion of such easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of a portion of the sanitary sewer easement located on the hereinafter described premises:

A strip of land three (3.00) feet in width, same being out of and a part of Lot 24 in South Lund Park Section Two, a subdivision of a portion of the Henry P. Hill League, in the City of Austin, Travis County, Texas, according to a map or plat of said South Lund Park Section Two of record in Book 7 at page 8 of the Plat Records of Travis County, Texas, said strip of land three (3.00) feet in width is to be released from that certain strip of land ten (10.00) feet in width conveyed to the City of Austin for sanitary sewer easement described in an instrument dated January 14, 1953, of record in Volume 1305 at page 422 of the Deed Records of Travis County, Texas, and which strip of land three (3.00)

feet in width is more particularly described as follows:

Being all of the east three (3.00) feet of the west ten (10.00) feet of Lot 24 in said South Lund Park Section Two, in the City of Austin, Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NASH PHILLIPS-COPUS, JR.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 37.96 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 2.48 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY WARNELL SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The Council discussed the zoning application of C. L. REEVES, at 4108-14 Bellvue Avenue, 4109-13 Alice Avenue and 1201 West 42nd Street. The Mayor stated it was the intent of the Council to zone the application "GR" General Retail, and the City Attorney was asked to give his opinion on this classification to see if it covered, and if the applicant could build and have the proper set backs. He suggested getting the applicant up here and work it out with him.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 19, 1959, for the furnishing of asphalt for Street and Bridge Division, of the City of Austin; and,

WHEREAS, the bids of Texas Company in the sum of \$36,365.00 for 350,000

gallons of emulsified asphalt, in the sum of \$5,280.00 for 50,000 gallons of cut back asphalt, and in the sum of \$18,280.00 for 200,000 gallons of OA asphalt, were the lowest and best bids therefor, and the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bids of Texas Company in the sum of \$36,365.00, in the sum of \$5,280.00 and in the sum of \$18,280.00 be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute contracts on behalf of the City of Austin with Texas Company.

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 20, 1959 for the purchase of 4 two-ton trucks complete with bed for use by the Sanitary Sewer Division of the City of Austin; and,

WHEREAS, the total bid of C. B. Smith Motors in the sum of \$10,190.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the total bid of C. B. Smith Motors in the sum of \$10,190.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with C. B. Smith Motors.

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The City Manager submitted the following:

"February 24, 1959

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, February 24, 1959 for the construction of a tennis court at Patterson Park and a play area slab at Adams Park - Contract No. 59-C-5.

"Maufrais Brothers, Inc.	\$ 7,850.70
John R . Andrews	8,390.42
Giesen & Latson Construction Co.	10,400.70
Miller's Concrete Contractor	10,466.80

"Ed H. Page	\$11,216.10
Walter W. Schmidt	12,868.76
City's Estimate	\$10,600.00

"I recommend that Maufrais Brothers, Inc. with their low bid of \$7,850.70 be awarded the contract for this project.

"S. Reuben Rountree, Jr.  
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 24, 1959 for the construction of a tennis court at Patterson Park and a play area slab at Adams Park - Contract No. 59-C-5; and,

WHEREAS, the bid of Maufrais Brothers, Inc. in the sum of \$7,850.70 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Maufrais Brothers, Inc., in the sum of \$7,850.70 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Maufrais Brothers, Inc.

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The City Manager submitted the following:

"February 25, 1959

"W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Mr. Williams;

"Bids were received until 2:00 P.M., Tuesday, February 24, 1959, at the Office of the Director of Water and Sewer Department for the Interregional Highway, Delmar Avenue, East Powell Lane, East Rundberg Lane, East Crest Drive 12-inch Water Main. Bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Austin Engineering Company	\$89,322.45	65
Karl B. Wagner Construction, Inc.	90,281.09	90
Eland Construction Company	93,070.80	90
J. R. Barnes Engr. Company	98,671.60	120
Fairey-Simons Company	98,968.63	100
Walter W. Schmidt	159,983.05	150

"It is recommended that the contract be awarded to the Austin Engineering Company on their low bid of \$89,322.45, with 65 working days.

Yours truly,  
 (Sgd) Victor R. Schmidt, Jr.,  
 Superintendent Water Distribution  
 (Sgd) Albert R. Davis, Director  
 Water and Sewer Department

"Approved By:  
 W. T. Williams, Jr.  
 City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 24, 1959 for the Interregional Highway, Delmar Avenue, East Powell Lane, East Rundberg Lane, and East Crest Drive 12-Inch Water Main; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$89,322.45 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of the Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin Engineering Company in the sum of \$89,322.45 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin Engineering Company.

The motion, seconded by Councilman Palmer, carried by the following vote:  
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
 Noes: None

The City Manager submitted the following:

"February 24, 1959

"Mr. W. T. Williams, Jr.  
 City Manager  
 Austin, Texas

"Dear Mr. Williams;

"Bids were received until 2:00 P.M., Tuesday, February 24, 1959 at the Office of the Director of Water and Sewer Department for the Grant Park Sanitary Sewers, then publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas

"The following is a tabulation of the bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Walter W. Schmidt	\$22,903.70	70
Fairey-Simons Company, Inc.	29,432.09	95
Wagner-Wehmeyer Inc.	30,333.10	150
Austin Engineering Company	31,132.25	60
J. R. Barnes Engr. Company	35,384.60	120
J. C. Trueheart	47,430.05	120
Bland Construction Company	48,279.50	100

"It is recommended that the contract be awarded to Walter W. Schmidt on his low bid of \$22,903.70 with 70 working days.

"Yours truly,  
 (Sgd) Albert R. Davis, Director  
 Water and Sewer Department  
 (Sgd) E. A. Garza, Superintendent  
 Sanitary Sewer Division

"Approved By:  
 W. T. Williams, Jr.  
 City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 24, 1959 for the Grant Park Sanitary Sewers; and,

WHEREAS, the bid of Walter W. Schmidt in the sum of \$22,903.70 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of the Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Walter W. Schmidt in the sum of \$22,903.70 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Walter W. Schmidt.

The motion, seconded by Councilman Palmer, carried by the following vote:  
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
 Noes: None

The Mayor suggested that since the 28th would be the last day for paying taxes without any penalty, that the Tax Department remain open on Saturday. Councilman Long moved that the City Manager be instructed to have the Tax Department open on Saturday, February 28, 1959, until 5:00 P.M. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The Director of Public Works explained a request of MR. LOUIE GAGE for permission to completely enclose the drainage ditch on his property on which there was an easement, running from the bridge on the Interregional Highway to the Bridge on the Cameron Road. The Public Works Director showed plans and read the following letter from Mr. Gage:

"Austin, Texas -  
11 February 1959.

"TO THE MEMBERS OF THE CITY COUNCIL, -  
A u s t i n , - T e x a s .

"Dear Sirs:-

"I am the owner of the property known as the South sixty (S.60') feet of Lot No. 54, in DUVAL HEIGHTS Addition, in the City of Austin, in Travis County, Texas, and upon which I am now planning to erect substantial improvements at an early date.

"On August 1, 1951, Edward T. Sponberg and others, who owned the property on that date, granted an Easement to the City of Austin, which appears of record in Vol. 1201, Page 145, of the Travis County Deed Records, and which said Easement was for a right of way for the construction and maintenance of an open drainage ditch in, upon and across the said property and further granted to the city the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of construction and maintaining said storm water drainage, and for making connections therewith.

"In connection with the improvements that I am now erecting, I will, if you will allow me, construct a concrete drain or ditch which will be 22 feet wide and 309 feet long, and will have a height from the concrete floor of the ditch to the top of the opening of at least 6 feet.

"The construction of the drainage as I will have it built will be a great improvement over the present one, and will be of more benefit to the landowners in the vicinity who are affected thereby, and also to the City.

"The Easement as it now exists in favor of the City is an encumbrance on the title, and will perhaps prevent me from financing the improvements that I am erecting.

"I would like for your body to commit to me by letter that when the improvements that I am making are completed, and if then acceptable to you,

that you will release the present easement so as to enable me to carry through with my plans for construction.

"Assuring you that if you can see fit to grant this request when the improvements that I will make have been completed and are found acceptable to you, then I can proceed with my plans with a letter stating that you will release the easement when the improvements I am erecting are acceptable to you.

"Thanking you for your consideration, I am

"Respectfully,  
(Sgd) Louie Gage  
Louie Gage"

After discussing the request, Councilman White moved that the City Manager be instructed to proceed with the necessary arrangements and bring in the Resolution next week. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Pursuant to published notice thereof the Council held a public hearing on an amendment to the Zoning Ordinance Text to create "DL" Light Industrial Districts and to make other amendments to conform the ordinance with the change. The Planning Director went over the changes. The Council deferred action on the amendment for further study.

The Council publicly heard the following zoning application:

JOE M. BOYER	2201-13 Redwood Avenue	From "A" Residence
Trueman O'Quinn		To "DL" Light Industrial (Amended Application)
		NOT Recommended by the Planning Commission

Mr. Trueman O'Quinn represented Mr. Boyer. Mr. E.M. PFAEFFLIN had no objection to this change, but did not want any extended industrial zoning in the neighborhood. The Council deferred action until it could make further study of the "DL" Light Industrial amendment and until it could make a personal inspection of the area.

MR. JOE ARMSTRONG and DR. BILL HARTWIG, American Institute of Radio Engineers, presented a copy of THE ANALOG featuring the City of Austin as a site for Electronics Industry, and offering their assistance in attracting this type of industry to Austin.

The Council recessed at 12:30 until 3:30 P.M.

RECESSED MEETING

3:30 P.M.

The Council resumed business at 3:30 P.M.

The Mayor gave a resumé of the proposed gas proposition as it was developing as of now. A meeting with the officers of the Company and DR. BOB MONTGOMERY, MR. E. W. JACKSON, MR. JIM NASH, MR. DAVID BARROW, and MR. TED WIMBERLY was called to go over the matter for Monday, March 2nd.

The Council deferred action on an ordinance on the following zoning application until an agreement on right-of-way for Salado Street was received from the applicants:

E. M. CHOTE, JR.	2811-17 San Pedro Street	From "A" Residence
	2810-16 Salado Street	To "B" Residence

The Mayor brought up the request from the Library Commission for the Council to appoint an architect to draw the plans for the Branch Library on Exposition. The Council named an architectural firm and asked the City Manager to interview the firm and report to the Council next Thursday for action.

The City Manager submitted the following letter from the Highway Department:

"TEXAS HIGHWAY DEPARTMENT

"Austin, Texas  
February 20, 1959

"Travis County  
U. S. Highway 183 Extension: From North Lamar to Interstate 35

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Mr. Williams:

"The attached copy of Commission Minute No. 45563, dated February 20, 1959, reflects action taken by our Highway Commission in a meeting held today and designates an extension to our U. S. Highway 183 from its present junction with Loop 275 (Lamar Boulevard) east to our Interstate Highway 35 on a location generally following Anderson Lane.

"You will note that this designation or U. S. Highway 183 relocation is contingent on the City of Austin agreeing to do certain things. First, you will agree to furnish to us free of cost an 80' width of right of way along this route (you have already been promised by land owners this much right of way if you would build a street across this route) and further, that you would proceed on

our 50-50 basis in acquiring an additional 120' of right of way such that we would provide for a minimum of 200' width of right of way on this approximately one mile section.

"The second condition is that you would agree to take back into your Street System for maintenance that section of our present U. S. Highway 183 (Airport Boulevard) from Loop 275 (Lamar Boulevard at the railroad crossing) to an intersection with our Expressway as well as absorb back into your City Street System for maintenance that short section of U. S. Highway 290 from its intersection with Koenig Lane and Airport Boulevard east to our Expressway. In talking informally to some of your associates recently, they thought the City would welcome a proposal of this kind.

"You will note that this Commission action is further conditioned on your accepting the conditions embodied therein within 60 days for otherwise, this Order shall be automatically cancelled. I trust this will prompt early action on the part of your City Council in accepting this so that we can immediately start our surveys.

"Sincerely yours,  
(Sgd) Ed Bluestein  
Ed Bluestein  
District Engineer"

"MINUTE ORDER

"WHEREAS, in Travis County in the City of Austin, recent traffic studies indicate that immediate consideration be given to the relocation of U. S. Highway 183 in the north part of Austin from Loop 275, east to Interstate Highway 35; and

"WHEREAS, the proposed relocation will provide for the safe and expeditious movement of present and anticipated traffic volume and will accommodate the proposed major thoroughfare plan of the City of Austin.

"NOW, THEREFORE, IT IS ORDERED that U. S. Highway 183 be relocated from Loop 275 (North Lamar Boulevard) east, a distance of approximately 1.0 mile, to an intersection with Interstate Highway 35 and the State Highway Engineer is directed to order the following proposal to the City of Austin:

"Provided the City will:

- "1. Agree to furnish free of cost to the State 80' of right of way on location generally along Anderson Lane to be approved by the State Highway Engineer and proceed on a 50-50 basis under the provisions of House Bill 620, 55th Legislature with the acquisition of an additional 120' of right of way to provide a total right-of-way width of 200'.
- "2. Agree to receive into the City Street System for maintenance the section of U. S. Highway 183 from Loop 275 along Airport Boulevard to Interstate Highway 35 and the short section of U. S. Highway 290 from the intersection of Koenig Lane and Airport Boulevard, east to Interstate Highway 35."

"The Texas Highway Department will:

- "1. Proceed with location surveys and furnish the City with

right-of-way deeds for the acquisition of right of way in accordance with the provisions of House Bill 620, 55th Legislature and when required right of way has been obtained, will proceed with surveys and plans for the construction of a four-lane divided highway facility at a total estimated cost of \$150,000.00.

"Upon acceptance of the provisions of this Order by the City of Austin, the State Highway Engineer is directed to proceed with the execution of Contractual Agreement with the City for the purchase of required right of way at an estimated state cost of \$35,000.00 and furnish the local authorities with the right-of-way deeds and when all right of way is acquired and plans are complete, bring this project back to the attention of the Highway Commission for finance consideration.

"IT IS FURTHER ORDERED that the State Highway Engineer make application to the Bureau of Public Roads for modification in the Primary Federal Aid System to provide for the proposed re-routing of Federal Aid Route 65 along the proposed relocation for U. S. Highway 183.

"This Order shall become operative when officially accepted by the City of Austin and if not accepted within 60 days hereof shall be automatically cancelled."

Councilman Palmer moved that the proposal be accepted as outlined by Mr. Bluestein. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor stated that the City Manager should tell Mr. Bluestein that the Council has adopted this subject to the approval of the people that the City had contracted with. He stated they would get a much better job plus culverts and underpass, and that this new proposal was better all the way round.

The City Manager submitted a recommendation on the leases for airport hangars at the Airport. The maximum rental which the base operators would charge would be fixed at 1.2% per month plus the ground rental which the city makes. This would be a ceiling, and the operators could charge less. The operators had agreed on this ceiling that they would charge, and asked for 25 year leases. The City Manager stated if the ground rental went up their rentals would increase, or decrease by whatever adjustments were made in the ground rentals. After discussion, Councilman Pearson moved that the contract on these particular hangars be drawn up according to the agreement as outlined by the City Manager. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long\*, Palmer, Pearson\*\*, White\*\*\*, Mayor Miller  
Noes: None

\*Councilman Long made the following statement for the record concerning her vote:

"I think it is an unwise way to draw up a contract. I go along with it because I have not come up with anything better; but in years to come, when other Councils criticize this Council for being so fool-hearted, I want to go on record that I thought it was fool-hearted".

\*\*Councilman Pearson stated that the Council was not giving anyone exclusive rights; that it could negotiate with anyone individually.

\*\*\*Councilman White made the following statement concerning his vote:  
"This does not set a precedent for other buildings".

The City Manager stated that on additions to the public library, that proposed bid forms had been drawn up which would permit separate bids or combination bids, and the building wage scale was proposed. The work consisted of filling in the existing patio space and renovate the existing building. He stated he would like to advertise the bids this coming Sunday and to receive them on March 24th.

The City Manager submitted a request for signing a change order on the Spicewood Springs Reservoir, as when excavating, it was found the foundation was in worse condition than had been expected. The additional cost was estimated to run about \$18,000. Councilman Pearson moved that the City Manager be authorized to sign a change order in the foundation work on the reservoir. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The City Manager submitted the following letter:

"TEXAS HIGHWAY DEPARTMENT

"Austin, Texas  
February 25, 1959

"Utility Adjustment

"Project No. 9014-5-4

Travis County

Interstate Highway 35: From 19th Street to The Colorado River Bridge

"Mr. W. T. Williams, Jr.

City Manager

Austin, Texas

"Dear Sir:

"The acquisition of right of way and the disposal of improvements are progressing satisfactorily on the section of Interstate Highway 35 along East Avenue, and it is anticipated that all of the right of way will be acquired within the next thirty to forty-five days. You will recall in our original discussions with reference to the adjustment of utilities along East Avenue that utility

adjustments should begin approximately March 1st so that they will not interfere with our contracting this project.

"Since both the Highway Department and the Bureau of Public Roads must grant prior approval before utility adjustments can be started, it is urgently requested that all necessary plans, agreements, and estimates be submitted to our office as soon as possible. I would appreciate whatever assistance you can give us in this regard.

"Very truly yours,  
Ed Bluestein  
District Engineer  
By: (Sgd) J. D. Staples  
J. D. Staples  
District Right of Way Engineer"

The Mayor brought up the following zoning deferred from last week:

WM. McCARTY	Area 6 - Tract 7	Original Zoning
	5306-08 Balcones Trail	Request for "C"
	5400-04 Bull Creek Road	Commercial

Councilman Long moved that the original zoning be established as "GR" General Retail 1st Height and Area. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the original zoning had been established as "GR" General Retail 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance.

There being no further business, the Council adjourned at 5:30 P.M., subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:

  
City Clerk